

AMENDED IN ASSEMBLY APRIL 12, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 798

Introduced by Assembly Member Wildman

February 24, 1999

~~An act to amend, repeal, and add Section 1909 of the Education Code, relating to education of prisoners. An act to amend, repeal, and add Section 41841.6 of the Education Code, relating to education of prisoners.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 798, as amended, Wildman. Education of prisoners.

Existing law sets forth a formula for the calculation of average daily attendance for schools or classes for adults in correctional facilities, and provides that a school district or county boards of education may not claim or report any increase in average daily attendance in excess of the authorized limit of adult education average daily attendance unless the Legislature approves the increase for that fiscal year in the annual Budget Act.

This bill would instead provide, commencing with the 1999–2000 fiscal year, that a school district or county boards of education may not claim or report any increase in average daily attendance for schools or classes for adults in correctional facilities in excess of the highest average daily attendance claimed and authorized during any of the 5 previous fiscal years multiplied by 1.025 unless the Legislature approves the increase for that fiscal year in the annual Budget Act.

~~(1) Existing law provides for an allocation to each county superintendent of schools that maintains schools or classes for adults in correctional facilities, from money appropriated for those purposes, an amount equal to the actual current expenses of the program, but provides that the amount may not exceed an amount determined pursuant to a certain formula.~~

~~This bill would revise the formula for the 2000-01 fiscal year and each fiscal year thereafter to increase the maximum amount that could be allocated.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 1909 of the Education Code is~~
2 *SECTION 1. Section 41841.6 of the Education Code is*
3 *amended to read:*
4 41841.6. (a) Except as otherwise provided in
5 subdivision (b) of Section 46191, commencing with the
6 1994-95 fiscal year, and for each fiscal year thereafter, for
7 purposes of Sections 1909 and 41841.5, the calculation of
8 the average daily attendance for schools or classes for
9 adults in correctional facilities is subject to the following
10 condition: A school district or county board of education
11 shall not claim or report any increase in average daily
12 attendance in excess of the percentage authorized by
13 subdivision (c) of Section 52616.17, unless the Legislature
14 approves the increase for that fiscal year in the annual
15 Budget Act.
16 (b) No state funds shall be allocated to a school district
17 or county board of education for units of average daily
18 attendance that have not been approved by the
19 Legislature pursuant to subdivision (a).
20 (c) *This section shall become inoperative on July 1,*
21 *1999, and as of January 1, 2000, is repealed, unless a later*
22 *enacted statute, that becomes effective on or before*
23 *January 1, 2000, deletes or extends the dates on which it*
24 *becomes inoperative and is repealed.*

1 SEC. 2. Section 41841.6 is added to the Education
2 Code, to read:

3 41841.6. (a) Except as otherwise provided in
4 subdivision (b) of Section 46191, commencing with the
5 1999–2000 fiscal year, and for each fiscal year thereafter,
6 for purposes of Sections 1909 and 41841.5, the calculation
7 of the average daily attendance for schools or classes for
8 adults in correctional facilities is subject to the following
9 condition: Notwithstanding any other provision of law, a
10 school district or county board of education may not claim
11 or report any increase in average daily attendance in
12 excess of the highest average daily attendance claimed
13 and authorized pursuant to this article during any of the
14 five previous fiscal years multiplied by 1.025, unless the
15 Legislature approves a greater increase for that fiscal
16 year in the annual Budget Act.

17 (b) No state funds shall be allocated to a school district
18 or county board of education for units of average daily
19 attendance that have not been approved by the
20 Legislature pursuant to subdivision (a).

21 (c) This section shall become operative on July 1, 1999.

22 ~~amended to read:~~

23 ~~1909. (a) From funds appropriated for allocation~~
24 ~~pursuant to Sections 2558 and 41841.5, for each county~~
25 ~~superintendent of schools who maintained schools or~~
26 ~~classes for adults in correctional facilities in the 1981–82~~
27 ~~fiscal year pursuant to Section 1906, and who continues to~~
28 ~~maintain those schools or classes in each fiscal year~~
29 ~~thereafter, the Superintendent of Public Instruction shall~~
30 ~~allow in the 1982–83 fiscal year and each fiscal year~~
31 ~~thereafter, an amount equal to the actual current~~
32 ~~expenses of the program, but not to exceed an amount~~
33 ~~determined as follows:~~

34 ~~(1) Compute the prior year statewide average~~
35 ~~revenue limit per unit of average daily attendance for~~
36 ~~adults, increased by the amount specified in Section~~
37 ~~52616.16 for the current fiscal year.~~

38 ~~(2) Multiply the amount computed in paragraph (1)~~
39 ~~by the average daily attendance of the schools or classes~~
40 ~~in the current fiscal year.~~

~~(3) Multiply the product determined in paragraph (2) for each fiscal year by 0.8.~~

~~(b) Notwithstanding subdivision (a), for the 1993-94 and 1994-95 fiscal years, in no event shall the amount allowed to a county superintendent of schools for each unit of average daily attendance pursuant to that subdivision exceed the statewide average revenue limit at which adults in correctional facilities were funded in the 1992-93 fiscal year, as adjusted by any cost-of-living adjustment pursuant to Section 42238.1.~~

~~(c) This section shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, that becomes effective on or before January 1, 2000, deletes or extends that date.~~

~~SEC. 2. Section 1909 is added to the Education Code, to read:~~

~~1909. (a) From funds appropriated for allocation pursuant to Sections 2558 and 41841.5, for each county superintendent of schools who maintained schools or classes for adults in correctional facilities in the 1981-82 fiscal year pursuant to Section 1906, and who continues to maintain those schools or classes in each fiscal year thereafter, the Superintendent of Public Instruction shall allow in the 2000-01 fiscal year and each fiscal year thereafter, an amount equal to the actual current expenses of the program, but not to exceed an amount determined as follows:~~

~~(1) Compute the prior year statewide average revenue limit per unit of average daily attendance for adults, increased by the amount specified in Section 52616.16 for the current fiscal year.~~

~~(2) Multiply the amount computed in paragraph (1) by the average daily attendance of the schools or classes in the current fiscal year.~~

~~(3) Multiply the product determined in paragraph (2) for each fiscal year by 0.9.~~